REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-18. The Specification and claims 1, 2, 5-8, 12-14, 16 and 18 are amended herein, and new claim 19 is added. Claims 3, 4 and 15 have been cancelled without prejudice. No new matter is presented.

Thus, claims 1, 2, 5-14 and 16-19 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 101:

Claim 15 was rejected under 35 U.S.C. § 101. As mentioned above, claim 15 is cancelled herein.

Therefore, withdrawal of the rejection under 35 U.S.C. § 101 is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

Claims 1-14 and 16-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the following: JP Patent Pub. No. 11-282863 (Takahiro), JP Patent Pub. No. 06334703 (Hiroshi), JP Patent Pub. No. 10-162033 (Toru) and U.S. Patent No. 6,466,796 (Jacobson).

Takahiro is directed to calculating a present location of a user from position information in a position information database and distributing contents related to the present location to a user terminal when the user makes access to an information presentation system. According to Takahiro, the position information in the data server is updated according to position information sent out from the user terminal in appropriate transmission timings and received by the first user interface unit for determining the most up-to-date positions of the users (see, paragraph 16). However, Takahiro is limited to services of only a service-asynchronous type (see, paragraph 21).

The Examiner compares the "service synchronous position information acquisition unit" of the present invention with the "first interface unit (I5)" of Takahiro. However, the first interface unit (15) receives position information that is limited to a service-asynchronous type (see, paragraphs 14 and 21).

The difference data feeding server (20) of Takahiro, which the Examiner equates with the "service asynchronous position information acquisition unit" (claim 16), is used for calibrating data indicating a position measurement result. The service asynchronous position information acquisition unit of the present invention converts position information received from a service-

asynchronous type information terminal into position information conforming to a protocol used by a service-synchronous type information terminal.

The Examiner acknowledges that <u>Takahiro</u> does not disclose a terminal determination unit determining a type of information terminal depending on data transmitted from an information terminal of the user, but relies on <u>Hiroshi</u> as teaching the same. However, <u>Hiroshi</u> is directed to identifying a relevant database upon receipt of a call from a communication terminal unit and using the relevant database to identify and execute only processes of a type that conforms to the type of the terminal unit of concern (see, paragraph 9).

The Examiner also relies on <u>Toru</u> as teaching an event notification unit for receiving designation of a condition. However, the portable action detection device of <u>Toru</u> is limited to detecting environment data showing a situation where it is placed and transmitting the same for comparison with environment data with a notice condition which is previously set (see, Abstract).

In contrast, the present application is directed to providing services in response to requests received from either a service-synchronous or service-asynchronous type information terminals. For example, as illustrated in FIG. 2 of the present application, data received from a service-asynchronous information terminal is converted into data in a format that conforms to a service synchronous position information acquisition unit to be collectively maintained in the same service-synchronous position information acquisition unit.

Independent claim 1, by way of example recites that data including position information is received from "service-asynchronous information terminals that announce position information independently of requesting a service and that support plural types of different communications protocol and/or data format" and "service-synchronous information terminals that announce position information when requesting a service and that support plural types of different communications protocol and/or data format."

Claim 1 further recites, "converting the received data to the same format as data received by the service-synchronous position information acquisition unit" and "determining a type of the information terminal depending on data transmitted from the information terminal of the user according to which a communications protocol and/or data format is employed for the data transmitted from the information terminal."

Independent claims 13, 14, 18 similarly recite receiving position information from both "service-asynchronous information terminals" and "service-synchronous information terminals." Independent claim 16 also recites similar features.

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On page 8 of the outstanding Office Action, the Examiner combines <u>Takahiro</u>, <u>Hiroshi</u> and <u>Jacobson</u> to reject claim 8.

Claim 8 recites, "storing position information extracted together with information about the terminal", where position information is "simultaneously announced from a plurality of information terminals of the user" and "a policy of prioritizing the announced position information from the plurality of information terminals is set as a system operation environment."

For example, claim 8 specifies a case where a signal-reception apparatus is confronted with n different signal-issuing information terminals ((issuing terminal number) : (receiving apparatus number) = n :1) and has to select from n position information signals. In contrast to the present invention, <u>Jacobson</u> is limited to selecting one from m receptor candidates under a situation in which one signal-transmitter confronts with m different receptor candidates ((transmitter number) : (receptor candidate number) = 1 : m).

It is submitted that the independent claims are patentable over the cited references.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over the cited references. The dependent claims are also independently patentable. For example, as recited in claim 2, the present invention includes " an accounting unit performing a process for charging a fee depending on an entry of a user to a system including the apparatus." The cited references, alone or in combination, do not teach or suggest these features of dependent claim 2.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 19 is added to recite, "acquiring position information of terminals receiving services from across multiple service providers", where the terminals use "a first protocol announcing position information upon a service request and a second protocol announcing position information independent of the service request." Service are then offered using the acquired position information, where "position information with respect to the second protocol is converted to the first protocol."

The cited references, alone or in combination, do not teach or suggest acquiring position information of terminals using "a first protocol announcing position information upon a service request and a second protocol announcing position information independent of the service request", where "position information with respect to the second protocol is converted to the first

protocol", as recited in claim 17.

Therefore, it is respectfully submitted that new claim 19 is patentably distinguishable over the cited references.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.
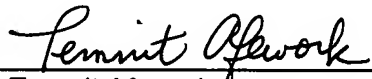
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _02/23/2006_   By: _____
                                     Temnit Afework
                                     Registration No. 58,202

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501